

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CHARLES GLASPERIL,

Petitioner,

v.

OMER CLARK,¹

Respondent.

)
)
)
)
)
)
)
)
)
)

No. 4:08-CV-1393 CAS

ORDER

This matter is before the Court on state prisoner Charles Glasperil's action pursuant to 28 U.S.C. § 2254. This case was referred to United States Magistrate Judge Lewis M. Blanton for report and recommendation on all dispositive matters and for final disposition on all non-dispositive matters, pursuant to 28 U.S.C. § 636(b).

On August 15, 2011, Judge Blanton filed a Report and Recommendation of United States Magistrate Judge which recommended that Glasperil's petition for writ of habeas corpus be denied.

Petitioner filed timely objections to the Report and Recommendation, asserting that each of the Magistrate Judge's recommendations are incorrect, and reiterating and expanding upon the arguments and authorities contained in the petition for writ of habeas corpus. The Court has carefully reviewed petitioner's objections and the entire record of this matter. Following de novo

¹Omer Clark is substituted as defendant in this action for Steve Larkins, as Clark is the warden at petitioner's current place of incarceration, Southeast Correctional Center, and therefore is the appropriate defendant in this action. See Rule 2(a), Rules Governing Section 2254 Cases in the United States District Courts. The Clerk of Court shall reflect this substitution on the docket accordingly.

review, the Court concurs in the recommendation of the Magistrate Judge. Petitioner's objections are overruled.

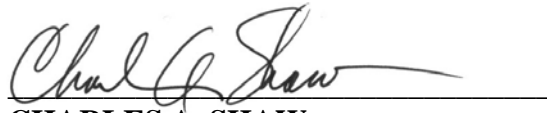
Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 22]

IT IS FURTHER ORDERED that Charles Gasperil's Petition for Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2254 is **DENIED**. [Doc. 1]

IT IS FURTHER ORDERED that this matter is **DISMISSED**, with no further action to take place herein.

An appropriate judgment will accompany this order.


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 26th day of September, 2011.